

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

STEPHANIE L. BOXLER,

Plaintiff,

vs.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

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CASE NO. 5:16-CV-2154

OPINION & ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On December 12, 2012, Plaintiff Stephanie L. Boxler applied for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act.¹ After her application was denied, Boxler requested that an Administrative Law Judge (ALJ) evaluate her application.²

On March 23, 2015, the ALJ determined that Plaintiff Boxler was not disabled within the meanings of the Social Security Act.³ The Appeals Council denied Boxler's request for review.⁴

On August 29, 2016, Plaintiff Boxler filed this complaint. With her complaint, Boxler alleges that she was wrongly denied disability insurance benefits.⁵

Consistent with Local Rule 72.2, the Court referred the matter to Magistrate Judge Thomas M. Parker. On June 1, 2017, Magistrate Judge Parker issued a Report and

¹ Doc. [10](#) at 268-76; *see* 42 U.S.C. §§ 416(i), 423 *et seq.*

² *Id.* at 12-15.

³ *Id.* at 16-37.

⁴ *Id.* at 6-10.

⁵ Doc. [1](#).

Recommendation, finding substantial evidence supported the ALJ's determination and recommending that this Court affirm the Commissioner's denial of disability benefits.⁶

Specifically, Magistrate Judge Parker rejected Boxler's argument that the ALJ should have considered Boxler's diagnosis of bradyphrenia, a condition that causes mental slowness or fatigability of initiative.⁷ Judge Parker found no evidence that Boxler had a bradyphrenia diagnosis, and Boxler failed to identify any work-impairing limitations of a bradyphrenia diagnosis.⁸ On June 12, 2017, Boxler filed notice that she would not object to Magistrate Judge Parker's report and recommendation.⁹

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of a Report and Recommendation to which the parties have made an objection.¹⁰ Plaintiff Boxler declined to file any objections in this case.

Absent objection, a district court may adopt the magistrate judge's report without review.¹¹ Moreover, having conducted its own review of the parties' briefs in this case, the Court agrees with the conclusions of Magistrate Judge Parker.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Parker's findings of fact and conclusions of law and incorporates them fully herein by reference. The Court thus **AFFIRMS** the Commissioner's denial of benefits.

IT IS SO ORDERED.

Dated: June 23, 2017

s/ James S. Gwin

JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁶ Doc. [17](#).

⁷ *Id.* at 9-11.

⁸ *Id.* at 10-11.

⁹ Doc. [18](#).

¹⁰ 28 U.S.C. § 636(b)(1)(C).

¹¹ *Thomas v. Arn*, 474 U.S. 140, 149 (1985).